

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION

IN RE: :
: CHAPTER 7
CLAYTON ALFRED BURTON : CASE NO. 13-13113-WHD
HAE SUK BURTON : JUDGE W.H. DRAKE, JR.
Debtors :

MOTION TO SELL PROPERTY OF THE ESTATE AT PUBLIC SALE

Comes now THEO D. MANN, Chapter 7 Trustee of the above-referenced Debtors' bankruptcy estate ("Trustee"), and files this "Motion to Sell Property of the Estate at Public Sale," showing the Court the following:

1.

In accordance with 11 U.S.C. §541(a), the Debtors' bankruptcy estate includes all of the Debtors' legal and equitable interests in a 2007 Chevy Avalanche LT.

2.

It is in the best interest of creditors and the estate of the Debtors that said asset be sold at public auction by Scott Schwartz of Bullseye Auction & Appraisal, licensed auctioneer ("Bullseye"). The proposed auction sale would be in the ordinary course of business of such auctions. Notice of the sale will be given to all parties in interest in this case, and the asset would be appropriately advertised by newspaper, by listing on the internet, and by other appropriate means. Bullseye currently plans to hold the auction commencing at 10:00 am on May 4, 2014 at 500 Pike Park Drive, Suite F, Lawrenceville, GA 30046.

3.

The sale and preparation of the asset for sale will be handled by Scott Schwartz of Bullseye Auction & Appraisal, a licensed Georgia auctioneer. Bullseye's fee for conducting and managing the sale of the property will be a ten percent (10%) Buyer's premium.

4.

The sale of estate's interest in the asset would be by Trustee's bill of sale and transfer of certificate of title executed by the Trustee. Any objections which are not timely filed, served and advocated shall be deemed waived and forever barred.

5.

Movant believes that the public sale as set forth herein would be in the best interest of the estate, and would provide the estate and the parties in interest with the highest and best return for the asset described herein. Accordingly, Trustee requests that the Court approve the sale. In order to expedite the auction on May 8, 2014, the Trustee respectfully requests that the Court waive the stay requirement of Rule 6004(h) and that the Order permit the sale to take place on May 8, 2014.

WHEREFORE, Trustee prays that this Court enter an order authorizing the Trustee to sell the property at auction as set forth above, and that this Court grant such other and further relief as is just and proper.

Dated: this 3rd day of April, 2014.

Respectfully submitted,

MANN WOOLDRIDGE KNEIDEL, P.C.

By: /s/ *Theo D. Mann*

Theo D. Mann

Attorney for Trustee

State Bar No. 469150

P. O. Box 310
Newnan, GA 30264-0310
(770) 253-2222
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Debtor(s) :

**NOTICE OF ASSIGNMENT OF HEARING REGARDING
SALE OF PROPERTY OF THE ESTATE AT PUBLIC SALE**

THEO D. MANN is the Chapter 7 Trustee for the above-styled Debtors' bankruptcy estate. Included in the property of Debtors' bankruptcy estate is the following property. Trustee proposes to sell a 2007 Chevy Avalanche LT at public Sale to be conducted by Scott Schwartz of Bullseye Auction & Appraisal commencing at 10:00 am on May 8, 2014 at 500 Pike Park Drive, Suite F, Lawrenceville, GA 30046. The sale is to be free and clear of all liens, claims, and encumbrances.

NOTICE IS HEREBY GIVEN that parties desiring to object to the proposed sale of the property shall file such objections with the Clerk of the Bankruptcy Court, 18 Greenville Street, P. O. Box 2328, Newnan, Georgia 30264, within twenty-one (21) days of the date of mailing shown below, and shall serve a copy of such objection on the Chapter 7 Trustee, Theo D. Mann, Mann Wooldridge Kneidel, P.C., P. O. Box 310, Newnan, Georgia 30264-0310.

NOTICE IS FURTHER GIVEN that any creditor or party in interest asserting a lien on the real property or on the proceeds of the sale must timely file an objection as set forth above. Failure to timely file an objection shall constitute a waiver of such objection, and in such event

Trustee shall be authorized to submit an Order to be entered by the Court approving said sale without further notice or a hearing.

In the event an objection is timely filed, a hearing thereon will be held in the Federal Building, Second Floor Courtroom, 18 Greenville Street, Newnan, Georgia at 10:10 o'clock a.m. on the 8th day of May, 2014.

Dated: this 3rd day of April, 2014.

PREPARED AND PRESENTED BY:

MANN WOOLDRIDGE KNEIDEL, P.C.

By: /s/ *Theo D. Mann*

Theo D. Mann

Attorney for Trustee

State Bar No. 469150

P. O. Box 310
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CERTIFICATE OF SERVICE

This is to certify that I have this date served a copy of the within and foregoing Motion to Sell Property of the Estate at Public Sale and Notice of Hearing upon:

Clayton Alfred Burton
Hae Suk Burton
450 Birkdale Drive
Fayetteville, GA 30215

Tara L. Moulds
Moulds & Moulds, PC
2004 Commerce Drive North, Suite 2004
Peachtree City, GA 30269

Scott Schwartz
Bullseye Auction & Appraisal
500 Pike Park Drive, Suite F
Lawrenceville, GA 30046

United States Trustee
362 Richard Russell Building
75 Spring Street, S.W.
Atlanta, GA 30303-3311

with the Notice of Hearing served upon all creditors and parties in interest listed on the attached matrix in properly addressed envelopes with adequate postage thereon to insure delivery.

This 3rd day of April, 2014

/s/ *Theo D. Mann*

Theo D. Mann
Attorney for Trustee
State Bar No. 469150

MANN WOOLDRIDGE KNEIDEL, P.C.
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Newnan, GA 30264-0310
(770) 253-2222
tmann@mwklaw.org

Bank First/BB & T
Bankruptcy Dept
Po Box 1847
Wilson, NC 27894-1847

BB AND T
PO BOX 1847
WILSON NC 27894-1847

Branch BB&T
Po Box 2306
Wilson, NC 27894-2306

Chase
PO Box 15298
Wilmington, DE 19850-5298

City Ntl Bk/Ocwen Loan Service
Attn: Bankruptcy
P.O. Box 24738
West Palm Beach, FL 33416-4738

Clayton Alfred Burton
450 Birkdale Drive
Fayetteville, GA 30215-2722

Collection Bureau of Newnan
PO Box 1111
Newnan, GA 30264-1111

Coweta Fayette EMC
807 Collinsworth Road
Palmetto, GA 30268-9442

CSRA Local Development Corp
3023 Riverwatch Pkwy
Suite A
Augusta, GA 30907-2016

GE Capital Retail Bank
c/o Recovery Management Systems
Corporat
25 SE 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Georgia Department of Revenue
Compliance Division
ARCS Bankruptcy
1800 Century Blvd., NE, Suite 9100
Atlanta, GA 30345-3202

Hae Suk Burton
450 Birkdale Drive
Fayetteville, GA 30215-2722

Holiday Hospitality Franchising LLC
Nimesh Patel
3 Ravinia Drive, Suite 100
Atlanta, GA 30346-2121

Hyon Engebretsen
8232 Nevada Circle
Bloomington, MN 55438-1125

InterContinental Hotels Group
11580 Great Oaks Way
Alpharetta, GA 30022-2424

InterContinental Hotels Group
PO Box 101074
Atlanta, GA 30392-1074

Michael A. Caldwell
DeLong, Caldwell, Bridgers & F
101 Marietta St, Suite 3100
Atlanta, GA 30303-2731

Office of the United States Trustee
362 Richard Russell Building
75 Spring Street, SW
Atlanta, GA 30303-3315

Paul & Helen Burton
8855 Ashgrove House Ln
Vienna, VA 22182-5503

Pnc Mortgage
3232 Nemark Dr
Miamisburg, OH 45342-5433

R Shane Lazenby
Forrester & Brim
PO Box 1688
Gainesville, GA 30503-1688

Recovery Management Systems
Corporation
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Region/ams
216 PO Box
Birmingham, AL 35201-0216

Regions Bank
PO Box 11407
Drawer 550
Birmingham, AL 35246-0001

Robert Engebretsen
8232 Nevada Circle
Bloomington, MN 55438-1125

Robert Engebretsen
c/o Charles Bridgers
DeLong, Caldwell, Bridgers & Fitzpatrick
3100 Centennial Tower
101 Marietta Street
Atlanta, GA 30303-2731

SBA - Georgia District Office
233 Peachtree Street NE
Suite 1900
Atlanta, GA 30303-1508

Scott Schwartz
Bullseye Auction & Appraisal
Suite F
500 Pike Park Drive
Lawrenceville, GA 30046-2416

Small Business Administration
2120 Riverfront Drive Ste 100
Little Rock, AR 72202-1794

Soyong Shin
3116 Valentino Ct
Oakton, VA 22124-2833

Sutherland's Foodservice, Inc
PO Box 786
Forest Park, GA 30298-0786

Sutherland's Foodservice, Inc.
16 Forest Parkway
Building K; Unit 2
Forest Park, GA 30297-2015

Tara L. Moulds
Moulds & Moulds, PC
Suite 205
2004 Commerce Drive North
Peachtree City, GA 30269-3564

U.S. FoodService, Inc
9399 West Higgins Road
Suite 500
Des Plaines, IL 60018-4992

Unlimited Restaurant LLC
1240 Powers Ferry Commons
Suite 110
Marietta, GA 30067-1632

USAA Federal Savings Bank MC
10750 Mcdermott Fwy
San Antonio, TX 78288-1600

USAA Savings Bank AmEx
10750 Mcdermott
San Antonio, TX 78288-1600

USAA Savings Bank
10750 McDermott
San Antonio, TX 78288-1600

USAA Savings Bank
PO Box 47504
San Antonio, TX 78265-7504

Vivian Hudson Uchitel
Simpson, Uchitel & Wilson
3490 Piedmont Road St. 300
Atlanta, GA 30305-4808

Wells Fargo Bank Nv Na
Bankruptcy MAC# P6103-05K
Po Box 3908
Portland, OR 97208-3908

William E. Turnipseed
Savell & Williams
233 Peachtree St 2700 HarrisTw
Atlanta, GA 30303